

800 MHz Rebanding Status Final Report



INTEROPERABILITY IN VIRGINIA



Virginia Office of Commonwealth Preparedness and State Interoperability Executive Committee

July 31, 2007

PREPARED BY:
CTA COMMUNICATIONS, INC.

Abstract

The purpose of this study is to assess the 800 MHz Rebanding progress within the Commonwealth of Virginia.

Progress

Ten localities have Stage 1 frequencies. Seven of the ten localities have completed the rebanding process. One locality is still in Frequency Reconfiguration Agreement (FRA) negotiations. The Virginia Stage 1 channel users appear to be on schedule, and are in the process of clearing the channels.

Thirty-eight localities have Stage 2 frequencies. The Stage 2 rebanding process appears to be going more slowly. The planning and negotiations processes are complex and time consuming. Only 11% of the localities have started or completed the implementation phase of subscriber deployment and infrastructure retuning. Thirty-two percent (32%) have a signed FRA or have reached an agreement, while 13% are in negotiations. Fifty-five percent (55%) of the localities are still in planning or have not started the FRA process. One locality is still in the PFA process.

Challenges

The FCC has mandated all rebanding will be completed by 26 June 2008. A major concern with this deadline is that the Transition Administrator (TA) has stated that work accomplished after that date will not be compensated. This places the licensees in the untenable position where they sign an agreement to proceed with rebanding but the funding for that agreement may expire before completion of the work. This is the situation that Fairfax County has found itself in, and many others in Northern Virginia will find themselves in shortly. Fairfax has submitted an expedited waiver request with the FCC on 24 May 2007 to extend their rebanding schedule. Although a number of National Capital Region licensees have supported this request, the FCC has not yet acted.

The success of rebanding in the Commonwealth of Virginia may well depend upon the support provided by the Commonwealth Interoperability Coordinators Office in their waiver requests currently before the FCC.

Executive Summary

CTA Communications was contracted to conduct this analysis by the Commonwealth Interoperability Coordinator's Office (CICO) within the Governor's Office of Commonwealth Preparedness to assess Virginia's overall 800 MHz Rebanding progress. The State Interoperability Executive Committee (SIEC) requested that this analysis be conducted after hearing concerns from the various stakeholders that included the Virginia Information Technologies Agency (VITA).

This is the third and final update to the 800 MHz Rebanding Report originally released September 26, 2006.

CTA originally identified 54 local and state Public Safety agencies using 800 MHz frequencies in the Commonwealth. CTA has conducted a telephone survey to obtain the 800 MHz rebanding status of these localities and agencies.

Over the past several years, public safety radio systems operating in the 800MHz band have been experiencing increasing interference from commercial wireless carriers operating in the same or adjacent spectrum bands. To address this harmful interference, the FCC has ordered a reconfiguration of the 800MHz band.

- Licensees in the 806-809MHz / 851-854 MHz Band (Channels 1 – 120) will be relocated.
- NPSPAC licensees in the e821-824 MHz / 866-869 MHz Band will be relocated to Channels 1 -120.
- Certain licensees in the newly created "Expansion" Band and "Guard" Band will have the option of relocating. The Expansion and Guard Bands serves to separate public safety entities from Enhanced Specialized Mobile Radio (ESMR) operators.
- Enhanced Specialized Mobile Radio (ESMR) operators, such as Sprint-Nextel will be relocated.

The Transition Administrator (TA) has developed a Regional Prioritization Plan. This plan consists of four reconfiguration "Waves" of NPSPAC regions. Virginia is in Wave 1. Each Wave consists of two Stages. Stage 1 includes Channels 1 -120 which reconfigure first. Stage 2 includes the NPSPAC channels which reconfigure after Stage 1.

The rebanding reconfiguration process consists of the following sequence:

- Planning Funding Agreement (PFA) Negotiations
- Planning Activities
- Frequency Reconfiguration Agreement (FRA) Negotiations
- Obtain FRA Approvals
- Subscriber Deployment
- Infrastructure Retune

For Stage 1 licenses, there was a three-month voluntary negotiation period followed by a three-month mandatory negotiation period. If an agreement was not reached between the licensee and Sprint-Nextel at the end of the mandatory negotiation period, the parties then enter into mediation. If an agreement cannot be reached, the TA will then ask for a Proposed Resolution Memorandum (PRM) from both parties. The TA will then submit a recommended resolution to the FCC.

For Wave 1, the End of Mandatory Negotiations for Stage 1 was December 26, 2005, while the end of mandatory negotiations for Stage 2 was October 31, 2006. The deadline for rebanding completion is June 26, 2008.

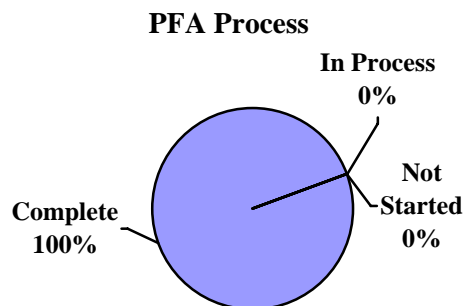
Below is a summary of Virginia localities' rebanding status as of June 30, 2007 for Stage 1 and Stage 2 frequencies.

Stage 1 - 1 to 120 Channel Users:

Ten (10) localities have Stage 1 frequencies.

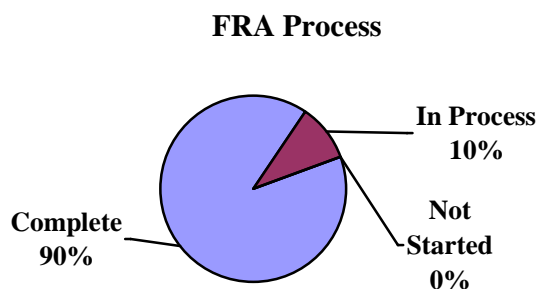
PFA Process

For the PFA process, one locality skipped the PFA process and the remaining nine localities all have a signed PFA.



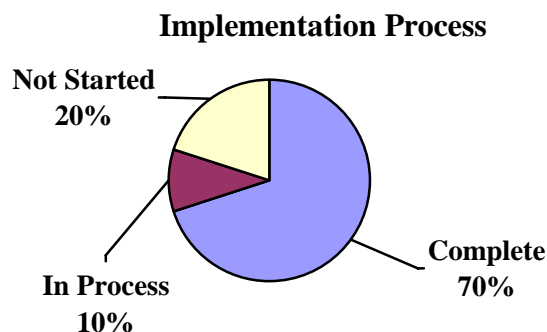
FRA Process

Nine of the ten localities have a signed FRA. The remaining locality is still in FRA negotiations.



Implementation Process

Seven of the ten localities have now completed the rebanding process. One locality will start rebanding implementation in July, and two localities have not started implementation.



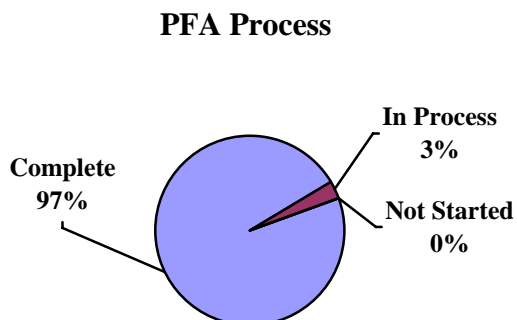
Overall the Virginia Stage 1 channel users appear to be on schedule and are in the process of clearing the channels.

Stage 2 – Interleaved / Expansion Band or NSPAC Frequencies:

Thirty-eight (38) localities have Stage 2 frequencies and are going through the rebanding process.

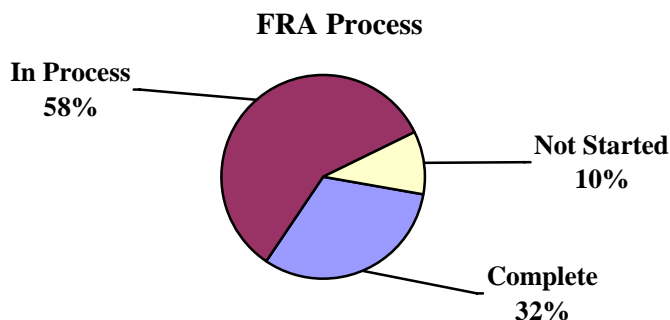
PFA Process

Thirty localities have undergone the PFA process, while the remaining eight skipped the PFA process. Twenty-nine (29) of the thirty localities have a signed PFA or have reached an agreement. One locality is still in the PFA process.



FRA Process

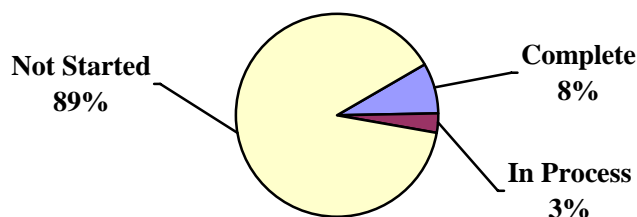
Twelve of the thirty-eight (38) localities have a signed FRA or have reached an agreement. Twenty-two (22) localities are in the FRA process. Four localities have not started the FRA process.



Implementation Process

Three localities have completed the Stage 2 rebanding process, and one locality has started implementing the rebanded frequencies. The remaining 34 localities have not started implementation.

Implementation Process



According to the TA, while the clearing of Channels 1-120 is largely on schedule, Public Safety NPSPAC reconfiguration negotiations have so far been more complex and time-consuming. The TA is therefore focusing its efforts on (1) helping parties reach reconfiguration agreements as quickly as possible, (2) working with parties and vendors to provide an expedited process for deployment of subscriber units, and (3) working with parties and vendors to assess potential impacts to the reconfiguration schedule.¹

The negotiation and funding process remains complex and time consuming. Most of Virginia's 800 MHz licensees for Stage 2 have a Planning Funding Agreement, and over half have started the Frequency Reconfiguration Agreement process.

¹ 800 Mhz Transition Administrator, LLC Quarterly Progress Report For The Quarter Ended December 31, 2006 (rel. Feb.19, 2007), available at http://www.800ta.org/content/pdf/other/12_31_06_Quarterly_Report.pdf.

Introduction

This is the third update to the 800 MHz Rebanding Report originally released September 26, 2006.

CTA Communications was contracted to conduct this analysis by the Commonwealth Interoperability Coordinator's Office (CICO) within the Governor's Office of Commonwealth Preparedness to assess Virginia's overall 800 MHz Rebanding progress. The State Interoperability Executive Committee (SIEC) requested that this analysis be conducted after hearing concerns from the various stakeholders that included the Virginia Information Technologies Agency (VITA).

The following are definitions for abbreviations used in the attached spreadsheet and this report:

PFA – Planning Funding Agreement

FRA – Frequency Reconfiguration Agreement

PRM – Proposed Resolution Memorandum

ST1 – Stage 1: 1 – 120 channel users

ST2 – Stage 2: Interleaved / expansion band user or NPSPAC users

S/N – Sprint Nextel

TA – Transition Administrator

In Mediation – A third party, TA assigned lawyer, is assisting the locality and S/N with mandatory negotiations

Methodology

CTA originally identified 54 local and state Public Safety agencies using 800 MHz frequencies in the Commonwealth. CTA attempted to contact these agencies via telephone to conduct a phone survey.

The following questions were asked:

Where are you in the PFA Process?

Negotiations with Sprint/Nextel

Agreement Reached

Agreement Not Reached - PRM

Recommended Resolution to FCC

PFA Signed
PFA Approved by TA

Where are you in the FRA process?
FRA Planning Activities
FRA Negotiations with Sprint/Nextel
FRA Agreement Reached
FRA Signed
FRA Approved by TA

Where are you in Reconfiguration / any estimated completion dates?
Subscriber Deployment
Infrastructure Retune
Rebanding Complete

Since the original report, CTA has still not been able to contact the Riverside Regional Jail Authority.

Results

Both Wise County and the Westvaco Rescue Squad had not received any notification they had to reband their frequencies. Their frequencies are in the Interleaved – Expansion band and are not affected by the 800MHz rebanding.

Localities that have frequencies in the interleaved or expansion band may elect to stay where they are or to go through the rebanding process. The following seven (7) localities or agencies have elected to stay in the interleaved / expansion band, and thus are not affected by Wave 1 rebanding:

City of Covington
Commonwealth of Virginia, Correctional Facilities
Commonwealth of Virginia, Northern Virginia Community College
Commonwealth of Virginia, Old Dominion University
Commonwealth of Virginia, George Mason University
Commonwealth of Virginia, Virginia Tech
Commonwealth of Virginia, State Corporation Commission

In addition, the City of Petersburg, an interleaved / expansion band user, is not participating in rebanding. Their system will not be operational until December 31, 2006 and Motorola has advised the City there is no need to reband their new equipment.

The College of William and Mary has relinquished their frequencies and have joined the York county radio system.

The following four (4) localities / agencies have completed the rebanding process and are operational on the rebanded frequencies.

Warren County
Commonwealth of Virginia, Christopher Newport University
Commonwealth of Virginia, Department of Motor Vehicles
Commonwealth of Virginia, Science Museum of Virginia

The rebanding status is summarized in the following tables according to regional grouping. The columns in the tables are categorized by Channels 1-120, Interleaved or Expansion band channels, and NPSPAC channels. Since some localities have frequencies in more that one area of the 800 MHz band, they will be listed in more than one band in the tables.

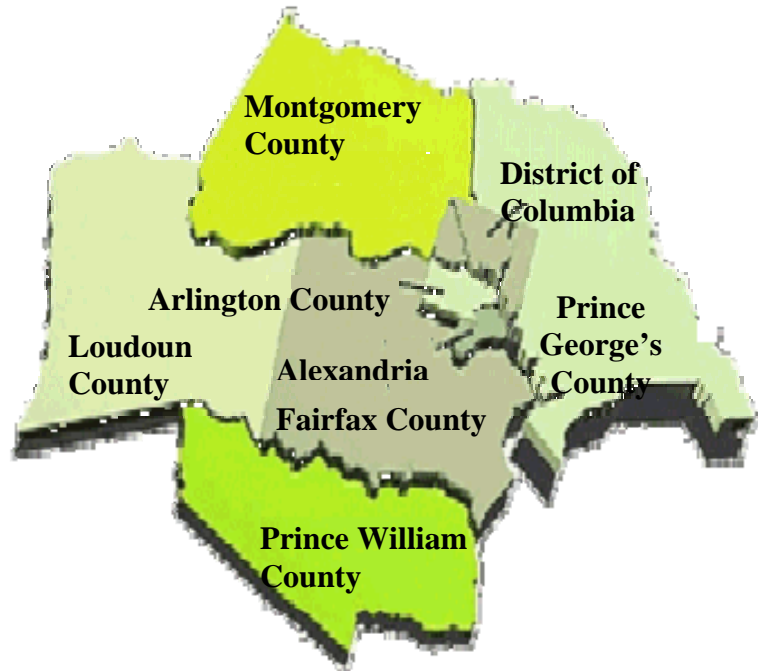
Please refer to the accompanying spreadsheet for more detailed results.

Locality Efforts

The National Capital Region (NCR) was created pursuant to the National Capital Planning Act of 1952 (Title 40, U.S.C., Sec. 71). The Act defined the NCR as the District of Columbia; Montgomery and Prince George's Counties of Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties of Virginia; and all cities now or here after existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties.

For federal planning purposes, the NCR region is defined as the jurisdictions represented on the map at the right. These include:

- The City of Alexandria
- Arlington County
- The District of Columbia
- Fairfax County
- Loudoun County
- Montgomery County
- Prince George's County
- Prince William County



Dr. Michael C. Trahos is included in the National Capital Region because of the address on his FCC frequency license. Dr. Trahos is an active member in APCO Region 20.

TABLE 1 below summarizes the locality efforts in the National Capital Region.

TABLE 1 National Capital Region

	1-120 Channel User	Interleaved / Expansion Band User	NPSPAC User
PFA PROCESS			
Negotiations w/ Sprint/Nextel			
Agreement not reached - PRM			
Recommended Resolution to FCC			
Agreement Reached			
Signed PFA/ Approved by TA	Fairfax	Alexandria Fairfax Metro Washington (COG)	Alexandria Fairfax Metro Washington (COG) Loudon Prince William
FRA PROCESS			
Planning Activities			Loudoun Prince William Alexandria
FRA Negotiations	Fairfax	Fairfax Metro Washington (COG)	Fairfax Metro Washington (COG)
FRA Agreement Reached			
Signed FRA / Approved by TA		Arlington	Arlington Dr. Trahos
IMPLEMENTATION PROCESS			
Subscriber Deployment			
Infrastructure Retune			
Rebanding Complete			

Alexandria is in the Planning Activities phase of the FRA process. Loudoun and Prince William Counties are still in Planning Activities. Dr. Trahos is still waiting for his license with the new frequencies before he starts implementation. Fairfax County and the Metropolitan Washington

Council of Governments are in FRA negotiations. Fairfax has submitted an expedited waiver request with the FCC on 24 May 2007 to extend their rebanding schedule.

TABLE 2 below summarizes the locality efforts in the Richmond Area. The Richmond area consists of the Counties of Chesterfield, Hanover and Henrico; the Cities of Richmond, Colonial Heights, and Hopewell; and the Capital Region Airport Commission.

TABLE 2 Richmond Area

	1-120 Channel User	Interleaved / Expansion Band User	NPSPAC User
PFA PROCESS			
Negotiations w/ Sprint/Nextel			
Agreement not reached - PRM			
Recommended Resolution to FCC			
Agreement Reached			
Signed PFA/ Approved by TA	Chesterfield Colonial Heights Henrico City of Richmond	Chesterfield Colonial Heights Henrico Hanover Hopewell	City of Richmond Capital Region Airport Henrico Hanover Hopewell
FRA PROCESS			
Planning Activities		Chesterfield Colonial Heights Henrico Hopewell	City of Richmond Capital Region Airport Henrico Hopewell
FRA Negotiations			
FRA Agreement Reached			
Signed FRA / Approved by TA	Chesterfield Colonial Heights Henrico City of Richmond	Hanover	Hanover
IMPLEMENTATION PROCESS			
Subscriber Deployment			
Infrastructure Retune			
Rebanding Complete	Chesterfield Colonial Heights Henrico		

The contact person for Chesterfield and Henrico Counties and the City of Richmond stated that their planning activities will start in earnest now that contractual issues have been resolved. The City of Richmond reported that they will start Stage 1 implementation in July.

The Hampton Roads Planning District Commission (HRPDC) consists of representatives from each of the 16 cities and counties that make up Hampton Roads and exists to help solve local and regional transportation and planning issues.

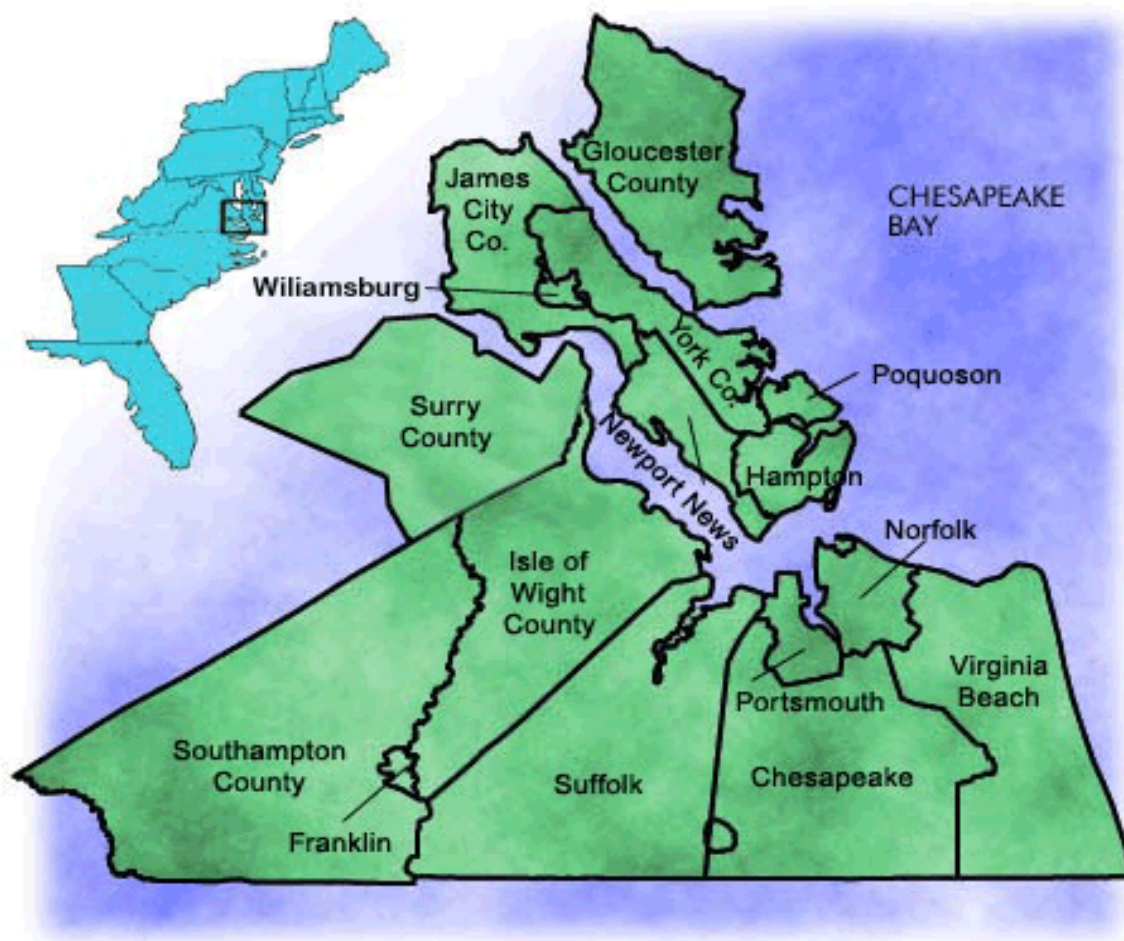


TABLE 3 below summarizes the locality efforts for the Hampton Roads area.

TABLE 3 Hampton Roads

	1-120 Channel User	Interleaved / Expansion Band User	NPSPAC User
PFA PROCESS			
Negotiations w/ Sprint/Nextel			
Agreement not reached - PRM		Suffolk	
Recommended Resolution to FCC			
Agreement Reached			Chesapeake
Signed PFA/ Approved by TA	Newport News Norfolk Virginia Beach	Newport News Portsmouth Virginia Beach	Newport News Portsmouth Virginia Beach York
FRA PROCESS			
Planning Activities			Newport News
FRA Negotiations		Virginia Beach	Virginia Beach
FRA Agreement Reached		Portsmouth Hampton	Portsmouth Hampton
Signed FRA / Approved by TA	Newport News Norfolk Suffolk Virginia Beach	Norfolk	Norfolk
IMPLEMENTATION PROCESS			
Subscriber			
Infrastructure Retune			
Rebanding Complete	Newport News Norfolk Virginia Beach		

Suffolk reported they do not have a PFA yet, and that they recently filed a Statement of Position. Chesapeake is still waiting for the PFA. Newport News expects to complete their planning in September and then negotiate the FRA. Norfolk reported that because of the interoperability requirements for the entire region, they cannot change one system unless all systems are on

board – otherwise they would not be able to communicate. Virginia Beach reported being 99% complete with the FRA negotiations except for the completion date.

TABLE 4 below summarizes the locality efforts in the Central Virginia Planning District. This planning district consists of the Counties of Bedford and Amherst, and the Cities of Bedford and Lynchburg.

TABLE 4 Central Virginia Planning District

	1-120 Channel User	Interleaved / Expansion Band User	NPSPAC User
PFA PROCESS			
Negotiations w/ Sprint/Nextel			
Agreement not reached - PRM			
Recommended Resolution to FCC			
Agreement Reached			
Signed PFA/ Approved by TA		Amherst County Central Virginia PDC	Lynchburg
FRA PROCESS			
Planning Activities			
FRA Negotiations		Amherst County Central Virginia PDC	Lynchburg
FRA Agreement Reached			
Signed FRA / Approved by TA			
IMPLEMENTATION PROCESS			
Subscriber Deployment			
Infrastructure Retune			
Rebanding Complete			

TABLE 5 below summarizes the locality efforts in the Roanoke Valley. This area consists of Roanoke County and Roanoke City. The town of Vinton is also a user on the radio system.

TABLE 5 Roanoke Valley Radio System

	1-120 Channel User	Interleaved / Expansion Band User	NPSPAC User
PFA PROCESS			
Negotiations w/ Sprint/Nextel			
Agreement not reached - PRM			
Recommended Resolution to FCC			
Agreement Reached			
Signed PFA/ Approved by TA	Roanoke County	Roanoke County Roanoke City	Roanoke City
FRA PROCESS			
Planning Activities		Roanoke County Roanoke City	Roanoke City
FRA			
FRA Agreement Reached			
Signed FRA / Approved by TA	Roanoke County		
IMPLEMENTATION PROCESS			
Subscriber Deployment			
Infrastructure Retune			
Rebanding Complete	Roanoke County		

Roanoke County has completed the rebanding of their Stage 1 frequencies.

TABLE 6 below summarizes the locality efforts in Albemarle County. This is a shared radio system between Albemarle County, Charlottesville, University of Virginia, and the Charlottesville Airport.

TABLE 6 Albemarle County, Charlottesville, and University of Virginia

	1-120 Channel User	Interleaved / Expansion Band User	NPSPAC User
PFA PROCESS			
Negotiations w/ Sprint/Nextel			
Agreement not reached - PRM			
Recommended Resolution to FCC			
Agreement Reached			
Signed PFA/ Approved by TA		Albemarle County (with Charlottesville, UVA, Charlottesville Airport)	Albemarle County (with Charlottesville, UVA, Charlottesville Airport)
FRA PROCESS			
Planning Activities		Albemarle County (with Charlottesville, UVA, Charlottesville Airport)	Albemarle County (with Charlottesville, UVA, Charlottesville Airport)
FRA Negotiations			
FRA Agreement Reached			
Signed FRA / Approved by TA			
IMPLEMENTATION PROCESS			
Subscriber Deployment			
Infrastructure Retune			
Rebanding Complete			

TABLE 7 below summarizes the status of the localities and agencies that are not affiliated with a region of other 800 MHz users. These include: the Virginia State Police (VSP), Spotsylvania County, Culpeper County, Alleghany County, the Warrenton-Fauquier Joint Communication Center, the City of Manassas, the Towns of Blacksburg and Clifton Forge, and the Sharon Volunteer Fire Department. HRECC is a shared system between Rockingham County and the City of Harrisonburg.

TABLE 7 Localities

	1-120 Channel User	Interleaved / Expansion Band User	NPSPAC User
PFA PROCESS			
Negotiations w/ Sprint/Nextel			
Agreement not reached - PRM			
Recommended Resolution to FCC			
Agreement Reached			Manassas
Signed PFA/ Approved by TA		Spotsylvania	Culpepper Warrenton - Fauquier Spotsylvania
			Commonwealth of Virginia (VSP)
FRA PROCESS			
Planning Activities			Commonwealth of Virginia (VSP) Culpepper Warrenton - Fauquier
FRA Negotiations			
FRA Agreement Reached		Spotsylvania	Spotsylvania
Signed FRA / Approved by TA		Alleghany County Clifton Forge Sharon Vol. FD	HRECC Town of Blacksburg
IMPLEMENTATION PROCESS			
Subscriber Deployment			Town of Blacksburg
Infrastructure Retune			
Rebanding Complete		Alleghany County Clifton Forge Sharon Vol. FD	

HRECC has their licenses. Their rebanded frequencies will be implemented in their new radio system. The Town of Blacksburg received back-to-back repeaters to be used during the transition, but they did not work. Blacksburg is waiting for S/N to fix the equipment, so the implementation process is at a standstill. For the Commonwealth of Virginia (VSP), the planning activities have started.

State Agencies on Locality 800 MHz Systems

One element of this survey was to collect data as to which state agencies are using locality systems. At the time this survey was conducted, most localities were immediately before the planning phase and their exact data were not available. It appears most localities who have provided radios to state agencies radios, have accounted for these radios in their negotiations, as they own the equipment. If the radios used by the state agencies on the locality system are the agencies' own radios, then this is a concern.

Common Issues

Common issues that were provided by the localities/agencies:

- Overall, negotiations with S/N are in a vacuum. It seems S/N is attempting to hold localities to a standard or predetermined idea of how much time and effort should be expended for that locality to reband. S/N continually makes statements along the lines of "that's not a typical effort", "this is more than usually necessary" and other general statements. These statements and references appear are based on S/N experience negotiation with other localities or predetermined amounts, which the locality is not privy to.
- The negotiation process is very long and drawn out. It is a large, taxing effort on some localities that do not have sufficient personnel resources or funding.
- When in negotiations, some localities are using the assistance of the City or County attorney and do not have someone who has extensive FCC License knowledge on their side.
- Complexity of the forms required by the TA as well as the number of changes and revisions to these forms has caused additional effort in many cases.
- Mediators are assigned as third parties who do not have any relationship to either the locality or S/N. However, in some cases it appears that the mediator does not have a strong knowledge of rebanding, standard mobile radio communications practices or industry perspective which would aid in the overall process.

A frustration that has come out during the negotiation process is that Sprint/Nextel does not appear to understand the needs of Public Safety Agencies. They do not understand the complexity of the equipment involved, such as with simulcast or voted repeater radio systems. More importantly, they do not appear to understand the operational requirements, in that dropped or missed calls are not acceptable to the Public Safety Agencies.

Recent Changes

Negotiations with Sprint/Nextel for Wave 1 (all of the Commonwealth of Virginia) are finally reaching culmination. The end of the mandatory negotiation period² for the NPSPAC frequencies was scheduled for 31 October 2006. A number of extensions were provided by the TA for licensees that were nearing their Sprint/Nextel agreements.

FCC Decisions: FCC Order DA 07-27

On 8 January 2007, the FCC issued order DA 07-27. This order allowed public safety licensees to disclose information to one another regarding the terms and conditions of their frequency relocation agreements with Sprint/Nextel. Until this order, each agreement was covered by a confidentiality provision which effectively prevented an exchange of information between licensees. Although most of the 800 MHz Licensees in the Commonwealth have already reached their Planning Funding Agreement (PFA) with Sprint/Nextel, this may be an avenue to help more quickly craft frequency relocation agreements.

TA Recent Forms

On 9 January 2007, the TA issued a large group of new forms and procedures. These included:

- Mutual Aid and Interoperability Fact Sheet
- Guidelines for Preparing a Cost Estimate
- Change Notice Procedures
- Actual Cost Reconciliation Fact Sheet
- Incumbent Labor Reimbursement Policy

² This deadline was initially intended to represent the completion of the Frequency Reconfiguration Agreements (FRAs). However as rebanding has proceeded somewhat more slowly than originally envisioned, this deadline has been satisfied by reaching a Planning Funding Agreement (PFA) between the licensee and Sprint-Nextel with the assistance of a TA assigned mediator.

On 20 March 2007, The TA announced a Subscriber Equipment Deployment Initiative. This initiative is designed to speed the reconfiguration. This initiative enables licensees to obtain replacement equipment, software upgrade kits, and associated services in advance of negotiating the costs to reconfigure radio infrastructure. Participation in this initiative is optional. For the third update, none of the Virginia localities indicated that they were planning to use this Subscriber Equipment Deployment initiative.

Locality Suggestions

Below is a list of locality suggestions for assistance that the Commonwealth Interoperability Coordinator's Office (CICO) and VITA could provide in the rebanding process:

- Continue updates regarding changes the T/A has made to the rebanding forms or processes.
- Somehow have VITA monitor and / or participate in mediations for localities
- A statewide procurement of consulting services could have been beneficial
- Somehow lobbying or negotiating from a state level with FCC or S/N to ensure items are consistent in negotiations for all localities in the Commonwealth
- Create common language to be included in all state locality PFAs and FRAs regarding sharing of information with VITA. Once this information is shared with VITA, ensure that all localities in the Commonwealth are being treated equally.
- Numerous localities wanted to pass on their appreciation for the offer to assist and appreciate attendance at National Capitol Region meetings

Recent Concerns

As of 26 June 2007 the second year of rebanding was completed. According to the FCC 800 MHz rebanding mandate, rebanding will be completed by 26 June 2008. Despite this mandate and the efforts of the TA to enforce this schedule, progress remains exasperatingly slow. It is reported that throughout the United States even at this late date there are no completed NPSPAC reconfigurations.

A major concern with the 26 June 2008 deadline is that the TA has stated that work accomplished after that date will not be compensated. This places incumbents (licensees) in the untenable position where they have an agreement to proceed with rebanding but the funding for that agreement will expire. This is the situation that Fairfax County is in. The reconfiguration agreement they have with Sprint-Nextel provides a completion date of 29 July 2010. The TA in

approving this agreement stated that rebanding funding will end on 26 June 2008. Fairfax has submitted an expedited waiver request with the FCC on 24 May 2007 to extend their rebanding schedule. Although a number of National Capital Region licensees have supported this request, the FCC has not yet acted.

Negotiations with Sprint-Nextel remain difficult. In several recent decisions the FCC has provided reasonable deference to incumbent (licensee) decisions (and the associated costs). Although this FCC decision has been accepted by Sprint-Nextel negotiators, there is still considerable negotiation effort focused on the costs of engineering consultants and other vendors that the incumbent uses. This cost scrutiny can act to increase the difficulty of completing negotiations.

Where NPSPAC mutual aid frequencies are used, Sprint-Nextel has developed a back-to-back repeater system. The intent of this system is to allow either rebanded or non-rebanded subscribers to operate on the rebanded system. This is important in a mutual aid situation where units from a non-rebanded system may be called upon to assist. As these systems were readied for deployment, an intermodulation problem was identified. Since this problem is frequency related, it affects both M/A-COM and Motorola back-to-back repeater equipment. According to Sprint-Nextel, both manufacturers are investigating solutions for this problem, but these answers have not yet been fully verified are not yet released.

Although most major system reconfiguration agreements are yet to be priced and costs negotiated, the TA has published a series of Cost Metrics. These cost metrics have been extensively relied upon by Sprint-Nextel in an effort to reduce costs associated with specific licensee requests. The FCC has also reviewed these Cost Metrics but in this case, the FCC seems more willing to concern themselves with unique and specific system and operational concerns which can affect the costs. Licensees and their engineering consultants should be aware of these cost metrics and be conscious that these costs will be used to evaluate their rebanding proposals.

The FCC has also stated that the costs of their “de novo” review can no longer be compensated under the 800 MHz rebanding program. At this point, it is unclear as to what effect this may have on licensees and Sprint-Nextel.

Despite the years of review and preparation for the FCC rebanding order and the two years that Sprint-Nextel, the TA and the public safety agencies have been working on the process, rebanding remains a problematical process for all. With the FCC deadline looming less than a

year away; all participants will need to redouble their efforts and their cooperation to complete rebanding. The next six months will be integral to successful rebanding completion. Should significant progress be absent, rebanding may well extend beyond the 2008 end date.

Conclusions

Below is a summary of the localities' rebanding status for Stage 1 and Stage 2 frequencies.

Stage 1 - 1 to 120 Channel Users:

Ten (10) localities have Stage 1 frequencies. For the PFA process, one locality skipped the PFA process and the remaining nine localities all have a signed PFA. For the FRA process, nine of the ten localities have a signed FRA; the remaining locality is still in the FRA process. For the implementation process, seven have completed the rebanding process, one is in implementation, and two have not started implementation.

The Virginia Stage 1 channel users appear to be on schedule and are in the process of clearing the channels.

Stage 2 – Interleaved / Expansion Band or NSPAC Frequencies:

Thirty-eight (38) localities have been identified as being in the Stage 2 rebanding process. For the thirty (30) localities in the PFA process the status is as follows:

- 97% have a signed PFA or have reached an agreement (29).
- 3% are still in the mediation process (1).

The status of all thirty-eight localities with regards to the FRA process is as follows:

- 32% have a signed FRA or have reached an agreement (12).
- 13% are in negotiations (5).
- 45% are in planning (17).
- 10% have not started the FRA process (4).

The status of the implementation process is as follows:

- 8% have completed rebanding (3).

- 3% have started rebanding (1).
- 89% have not started the rebanding process (34).

The Stage 2 rebanding process appears to be going more slowly, with 55% of the licensees not starting the negotiations.

Virginia's 800 MHz licensees appear to be on track for Stage 1. For Stage 2, the planning and negotiations processes remain complex and time consuming. The implementation process is also complex. The localities that have completed rebanding are relatively small localities which do not have other 800 MHz neighbors. In areas like Tidewater or Northern Virginia, rebanding implementation needs to be carefully orchestrated so that users still have communications and interoperability.

Frequency and Licensing															
VITA Action	HSP Region Number	Request for Planning Funding Status (RFPF)	Frequency Reconfiguration Agreement (FRA)	Reconfiguration Complete	Schedule Status - 14 Dec 2006 freeze end date	Regional or other affiliation (Interoperation)	Notes	1-120 Channel user	Interleaved/ Expansion Band user	NPSPAC	Has Rebanding Licenses (GE or YE)	Entity	Telephone	Contact	FRN
None	3	Signed PFA	In planning process			Charlottesville, UVA, Charlottesville Airport	hope to have FRA in place by May-June time frame					Albemarle, County of	(434) 971-1022	Wayne Campagna	0004632428
None	7	Signed PFA	In planning process			National Capitol Region (NCR)						Alexandria, City of	(703) 838-6360	Dale Johnson	0002036242
None	6	Skipped PFA	Signed FRA - approved by TA	Complete		Alleghany County, Clifton Forge & Sharon Vol. FD	Have equipment to put on tower. Waiting to start reprogramming 400 radios				Yes	Alleghany, County of	(540) 863-6600	Ryan D. Muterspaugh	0004632410
None	3	Signed PFA	In FRA Negotiations	Subscriber - est. 12/28/7 Infrastructure est. 01/15/08		Central Virginia Planning District						Amherst, County of	(434) 946-9307	Gary Roakes	0006788905
None	7		Signed FRA			National Capitol Region (NCR)						Arlington, County of	(703) 228-4009	Lisa Thompson	0002036101
	6		Signed FRA	No dates yet			Waiting on S/N to fix back-to-back repeaters to be used during the transition					Blacksburg, Town of	(540) 961-1810	Lt Bruce Bradbery	0002035947
None	1	Signed PFA	Still in planning process; submitted costs to S/N and are in discussions regarding costs.			Henrico County						Capital Region Airport Commission	(804) 226-3061	Dan Vasquez - RCC Consultant Dominic Arcuri	0002069417
None	3	Signed PFA	in FRA negotiations	Subscriber - est. 12/28/7 Infrastructure est. 01/15/08		Central Virginia Planning District						Central Virginia Planning District Commission	(540) 587-5991	Central VA Radio Comm Brd - John Barrett	0002061935
None	5	Awaiting PFA		Est. end of 2007		Tidewater						Chesapeake, City of	(757) 382-6692	Bernard Reezor - Televate Consultant	0004654703
None	1	ST1 - Signed PFA ST2 - Signed PFA	ST1 - Signed FRA ST2 - Starting planning activities	ST1 - Reconfiguration complete		Henrico County, City of Richmond and City of Colonia Heights					ST1	Chesterfield, County of	(804) 748-1255	Don Birdsong / RCC Consultant - Dominic Arcuri	0002035533
None	6		see Alleghany County			Alleghany County, Clifton Forge & Sharon Vol. FD						Clifton Forge, Town of	(540) 863-2513	Chief Barry Balser	0005516950
None	1	Operates on Chesterfield County's System	See Chesterfield County	See Chesterfield County		Henrico County, City of Richmond and City of Colonia Heights	Operates on Chesterfield County's system				ST1	Colonial Heights, City of	(804) 520-9300	Lewis Archileti / RCC Consultant Dominic Arcuri	0002035376
None	6	STAYED IN EXPANSION BAND					Rebanding not required				N/A	Covington, City of	(540) 965-6331	Lt. Ferris / Chief Braughman	0002035350
None	2	Signed PFA	Starting planning activities			National Capitol Region (NCR)						Culpeper, County of	(540) 727-3427	Alan Culpeper, Dir.Of Procurement	0005962691
	7	ST1 - Signed PFA ST2 - Signed PFA	In FRA negotiations			National Capitol Region (NCR)						Fairfax, County of	(703) 591-1083	Radio Services Center	0002064319
None	5	Skipped PFA	FRA Agreement reached	Est. end of 2007		Tidewater						Hampton, City of	(757) 727-6794	Jim Connaway - Attorney Casey Lide 202-277-6276	0002034635
Continue updates regarding Changes T/A has made.	1	Signed PFA	FRA Agreement reached & signed			Interop with Capitol Region (Richmond area)	will start 30-60 days after FCC approval					Hanover, County of	(804) 365-6142	Phil Heins - RCC Consultant & M/A-Com	0005516687
None	2		Completed	Rebanded freq.will be in their new system			New M/A-COM system				Yes	Harrisonburg, City of, Harrisonburg-Rockingham Emer Comm Ctr	(540) 434-2006	James L. Junkins	0009397613
None	1	ST1 - Signed PFA ST2 - Signed PFA	ST1 - Signed FRA ST2 - Start planning activities	ST1 - rebanding complete		Henrico County, City of Richmond and City of Colonia Heights	Affiliated with Capital Region & Airport as well.					Henrico, County of	(804) 501-4957	Paul Proto - RCC Consultant Dominic Arcuri	0005516653
Thank VITA for interest	1	Signed agreement reached	In planning activities	No date at this time		Chesterfield County, Colonial Heights & Henrico	Struggling with inventory					Hopewell, City of	(804) 541-2275	Helene Polascik - Dale Ramey (Comtronics) (804) 526-5250 & Consultant Emil Vogel	0002034478
None	7	Signed PFA	In planning activities			National Capitol Region (NCR)						Loudoun, County of	(703) 777-0333	Gary P McKelvey	0004653192
None	3	Signed PFA	In FRA negotiations	Subscriber - est. 12/28/7 Infrastructure est. 01/15/08		Central Virginia Planning District						Lynchburg, City of	(540) 587-5991	Central VA Radio Comm Brd - John Barrett	0005516513
Have VITA monitor mediations for localities	7	Agreement reached		No date at this time		National Capitol Region (NCR)	Had heard it is taking 7 - 10 months at the FCC					Manassas, City of	(703) 257-8461	Paul Hood - RCC Consultant Tim Barenton	0002034056

VITA Action	HSP Region Number	Frequency and Licensing										Entity	Telephone	Contact	FRN
		Request for Planning Funding Status (RFPF)	Frequency Reconfiguration Agreement (FRA)	Reconfiguration Complete	Schedule Status - 14 Dec 2006 freeze end date	Regional or other affiliation (Interoperation)	Notes	1-120 Channel user	Interleaved/ Expansion Band user	NPSPAC	Has Rebanding Licenses (GE or YE)				
	7	ST2 - Signed PFA	In FRA negotiations			National Capitol Region (NCR)						Metropolitan Washington Council of Governments	(703) 324-3833	Duff Barney	0002064319
None	5	ST1 - Signed PFA ST2 - Waiting signatures by TA & S/N	ST1 - Signed FRA ST2 - expecting to complete planning in Sept. and then negotiate final FRA	ST1 - Completed - have not closed out with S/N		Tidewater	In financial close-out process for ST1				ST1	Newport News City of	(757) 269-2431	Mike Taylor	0002031482
Felt a statewide procurement of consulting services could have been beneficial	5	ST1 - Signed PFA ST2 - Skipped PFA process	ST1 - Signed FRA ST2 - Signed FRA	ST1 - Completed. ST2 - Hope to have completed by Oct. 2008		Tidewater	Give up frequencies by Sept/Oct. Because of interoperability requirements for whole region, can't change one system unless all systems are on board, otherwise they won't be able to communicate.				ST1	Norfolk, City of	(757) 441-5800	Harry V Yeomans	0002033777
None	1	SYSTEM IS NOT OPERATIONAL UNTIL DEC 31 2006. MOTOROLA INFORMED NO NEED TO REBAND										Petersburg, City of	(804) 863-2700	Will Watson	0004632097
None	5	Signed PFA	In planning process and starting negotiations with S/N	No date at this time		Tidewater	Naval Shipyard, VSP have radios, included in rebanding					Portsmouth, City of	(757) 393-8397	Horace Hills	0004632063
Appreciate the offer to help and attendance @ National Capitol Region Meetings	7	Signed PFA	Still in planning process	No date at this time		National Capitol Region (NCR)	Hope to begin FRA negotiations in May					Prince William, County of	(703) 792-6271	Sam Somers	0002033256
	1	ST1 - Signed PFA ST2 - Signed PFA	ST1 - Signed FRA ST2 - Starting planning activities	ST1 - Start implementation in July		Henrico County, City of Richmond and City of Colonia Heights						Richmond, City of	(804) 646-5141	Jim Whiteman	0002033157
												Riverside Regional Jail Authority	(804) 524-6600	Donald W. Langley, Security Div Co; Tim Flexon - IT Dept.	0013356670
None	6	PFA agreement Reached - in approval process	Started planning activities			Roanoke Valley Radio System						Roanoke, City of	(540) 853-1535	William Powers	0002033116
None	6	ST1 - Signed PFA ST2 - PFA Agreement reached, in approval process	ST1 - Signed FRA; ST2 started planning activities	ST1 Completed		Roanoke Valley Radio System					ST1	Roanoke, County of	(540) 387-6223	Rodney W Thompson	0002033090
None	6		See Alleghany County			Alleghany County, Clifton Forge & Sharon Vol. FD	Did not realize frequency was still active.					Sharon Volunteer Fire Department	(540) 863-3776	Contact Ryan Muterspaugh with Alleghany County (540) 863-6600	0004230959
	2	Signed PFA	FRA agreement reached									Spotsylvania, County of	(540) 507-7980	John Brown	0002032761
Lobbying from a state level with FCC or S/N to ensure items are consistent in negotiations	5	ST1 - Skipped PFA ST2 - In mediation	ST1 - Signed FRA	ST1 and ST2 Implementation will occur together; no date at this time		Tidewater					ST1	Suffolk, City of	(757) 923-3639	Ty Williams - Televate Consultant	0015093917
	7	Signed PFA	Signed FRA & Approved by TA				Still has not received license, so has not performed rebanding.					Trahos, Michael C	(703) 534-0566		0003290970
Create common language to be included in all State localities PFAs and FRAs regarding sharing of information with VITA	5	ST1 - Signed PFA ST2 - Signed PFA	ST1 - Signed FRA ST2 - In negotiations	ST1 - 100% complete No date at this time for ST2		Tidewater	ST1 freq turned over to S/N				ST1	Virginia Beach , City of	(757) 385-4066	Robert DeLauney	0002065639
None		STAYED IN EXPANSION BAND									N/A	Virginia, Commonwealth of	(804) 371-5212	David R. Warner - Correctional Facilities	0002032159
None		Signed PFA	Started planning activities									Virginia, Commonwealth of	(804) 674-2044	Communications Officer John E. Furlough	0002032175
None		STAYED IN EXPANSION BAND										Virginia, Commonwealth of	(804) 371-5580	Paul D. Hoppes/David R Warner ODU	0002067221
None		STAYED IN EXPANSION BAND										Virginia, Commonwealth of	(804) 371-5580	Paul D. Hoppes/David R Warner SCC	0002067221

Frequency and Licensing															
VITA Action	HSP Region Number	Request for Planning Funding Status (RFPF)	Frequency Reconfiguration Agreement (FRA)	Reconfiguration Complete	Schedule Status - 14 Dec 2006 freeze end date	Regional or other affiliation (Interoperation)	Notes	1-120 Channel user	Interleaved/ Expansion Band user	NPSPAC	Has Rebanding Licenses (GE or YE)	Entity	Telephone	Contact	FRN
None		STAYED IN EXPANSION BAND										Virginia, Commonwealth of	(804) 371-5580	Paul D. Hoppes/David R Warner GMU	0002067221
None		Completed Rebanding Process & Operational on Rebanded Frequencies										Virginia, Commonwealth of	(804) 371-5212	David R. Warner - Dept. of Motor Vehicles	0002067221
None		Completed Rebanding Process & Operational on Rebanded Frequencies									ST2	Virginia, Commonwealth of	(804) 371-5212	David R. Warner - Science Museum of Virginia	0002067221
None		CNU - Completed Rebanding Process & Operational on Rebanded Frequencies					Cancelled VCU Frequencies					Virginia, Commonwealth of	(804) 371-5580	Paul D. Hoppes/David R Warner VCU & CNU	0002067221
None		STAYED IN EXPANSION BAND										Virginia, Commonwealth of	(804) 371-5580	Paul D Hoppes - VPISU	0002067221
None		STAYED IN EXPANSION BAND									N/A	Virginia, Commonwealth of	(804) 371-5212	David R. Warner - Northern VA Comm. College	0002067221
None	5	Joined with York County										Virginia, Commonwealth of; College of William and Mary	(757) 221-4596	Lt. John Coleman	0002032217
None	2	Completed Rebanding Process in March 06 & Operational on Rebanded Frequencies									ST2	Warren, County of	(540) 635-4128	Captain Norman Shipplet	0002032449
None	2	PFA signed	Started planning activities			National Capitol Region (NCR)						Warrenton Fauquier Joint Communication Center	(540) 349-2281	William Dugan	0002035020
	6						Have never been notified by FCC or S/N ; Not aware that they had to be rebanded					Westvaco Rescue Squad	(540) 969-5416	Tyrone M. Lewis Wesley Dew with Mtn. Electronics (540-962-3346)	0005523907
	4						Did not receive any notification					Wise, County of	(276) 328-7085	Steve	0004631941
None	5	PFA signed				Tidewater	College of William & Mary is on their system; will have a kick-ft mtg in next 30 days w/ Motorola for FRA planning					York, County of	(757) 890-3620	Terry Hall	0004631909